

PATENT ATTORNEY DOCKET NO.: 041514-5117

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re A	pplicati	on of:	·)	
Shigen	u WAT	ANABE)	
Applic	ation No	o.: 09/8	35,097)	Group Art Unit: 2643
Filed: April 16, 2001)	Examiner: Unassigned
For: S	PEAKE	R APP	ARATUS)	
BOX N	issioner MISSIN ngton, D	G PAR	RTS		
		<u>RF</u>	ESPONSE TO NOTICE	ΓΟ FILE	MISSING PARTS
1. This replies to the Notice to File Missing Parts of Nonprovisiona mailed July 9, 2001.			Nonprovisional Application		
	A copy		Notice To File Missing Pa	rts Of No	nprovisional Application is
2.	Declara	ation O	Oath		
	\boxtimes		claration or oath was filed. ation and Power of Attorn		d is the original Combined
				endments	eclaration is a copy of the thereto which were filed in the
					as determined to be defective. 1 Power of Attorney is attached.

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3.	English Translation of Non-English Language Papers			
		Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.		
		Also enclosed is the Verification of Translation Document		
4.	Small Entity Status			
		Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.		

5. Fee Calculation

5. Fee Calculation	<u> </u>		5 1	740.00
			Basic Fee:	710.00
			ent Application-\$710.00	
		Desi	gn Application-\$320.00	
	Number Filed	Number Extra	at a Rate of	
Total Claims	11 - 20 =		\$ 18.00 each=	
Independent Claims	1 - 3 =		\$ 80.00 each=	
			\$270.00	
Missing Parts Surcharge Fee			\$130.00	130.00
			SUB-TOTAL =	840.00
	Red	duction by 1/2 for t	iling by a small entity	
			SUB-TOTAL =	840.00
Fee For Application Fil	ed With A Non-Eng	lish Specification (3	7	
C.F.R. § 1.17(k) and §		•	\$130.00	
Fee For Processing an		cation (37 C.F.R.		
§ 1.21(I) and § 1.53(d)		<u>, </u>	\$130.00	
				40.40.00
			TOTAL FILING FEE =	\$840.00

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6.	Exten	Extension of Time					
	•	The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.					
		Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. §§ 1.17(a)-(d), for the total number of months checked below:					
	Т-4-1	41 ma assanta	d Eas for a	urtonaion	Ifac for Small E	ntitul	
		months requeste			[fee for Small E	muty j	
		ne month		\$ 110.00		\$ 55.00 \$105.00	
		o months		\$ 390.00		\$195.00 \$445.00	
	=	ree months	\$ 890.00		\$445.00		
		ur months	\$1,390.0		\$695.00 \$945.00		
	∐ fiv	ve months	\$1,890.0	U	\$945.00		
	Exten	Extension of time fee due with this request: \$					
		If an additional extension of time is required, please consider this a Petition therefor.					
		conditional pe	tition is being m inadvertently ove	ade to provid	te is required. Ho de for the possibil need for a petition	ity that	
7.	Fee P	Fee Payment					
	The to	otal fee due is:	Completion Fees \$840.00 Extension Fees \$ Asssignment \$40.00 Total Fee Due \$880.00				
	\boxtimes	Enclosed is a check in the amount of \$880.00 representing the total fee due and the assignment recordation fee.					
		Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to					

Deposit Account No. 50-0310.

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8.	Additional papers enclosed.			
	\boxtimes	Claim for Priority		
	\boxtimes	Certified copy of Japanese Application No. 2000-238091		
	•	filed August 7, 2000		
	\boxtimes	Formal Drawings – 2 sheets containing 3 figures		
		Preliminary Amendment		
		Information Disclosure Statement		
		Form PTO-1449		
		Citations		
		Declaration of Biological Deposit		
		Submission of "Sequence Listing", computer readable copy and/or		
	_	amendment pertaining thereto for biotechnology invention containing		
		nucleotide and/or amino acid sequence.		
		nucleotide and/or amino acid sequence.		

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

John G. Smith Reg. No. 33,818

Date: September 10, 2001

CUSTOMER NO. 09629

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MARKED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER

1800 M STREET NW

009629

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/835,097

MORGAN, LEWIS & BOCKIUS

WASHINGTON, DC 20036-5869

04/16/2001

Shigeru Watanabe

041514-5117

CONFIRMATION NO. 2969

FORMALITIES LETTER

OC000000006268976

Date Mailed: 07/09/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.

 Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.

 A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 840.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/12/2001 SDIRETAL 00000054 09835097

01 FC:101 02 FC:105

710.00 OP